

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
DECEMBER 13, 2017**

CALL TO ORDER A meeting of the Flathead County Planning Board was called to order at
5:59 pm approximately 5:59 p.m. at South Campus Building, 40 11th Street W, Ste.
200, Kalispell, Montana. Board members present were Dean Sirucek, Greg
Stevens, Sandra Nogal, Jeff Larsen, Jim Heim, Ron Schlegel, and Kevin Lake.
Mike Horn was absent. Rita Hall had an excused absence. Donna Valade,
Erik Mack, and Mark Mussman represented the Flathead County Planning &
Zoning Office.

There were approximately 31 members of the public in attendance.

APPROVAL OF Nogal made a motion, seconded by Sirucek, to approve the
MEETING
MINUTES November 11, 2017 meeting minutes.
6:00 pm Motion carried by quorum.

PUBLIC None
COMMENT
(Public matters that
are within the
jurisdiction of the
Board 2-3-103
M.C.A)
6:00 pm

ZONE CHANGE A zone change request from Bruce Lutz of WGM Group, on behalf of Icecap,
ICECAP, LLC LLC for the Eslick et al property located at 7645 MT Highway 35 in the Holt
(FZC-17-10) Zoning District. The proposal would change the zoning on a parcel containing
6:01 PM approximately 67.71 acres from *SAG-10 (Suburban Agricultural)* to *B-2*
(General Business) on 10.02 acres and to *R-2 (One Family Limited*
Residential) on 56.23 acres. The subject property can legally be described as
follows:

The Southwest Quarter of the Northeast Quarter and all that portion of the
Southeast Quarter of the Northwest Quarter lying North and East of that
certain right-of-way deeded to the State of Montana as recorded on October 3,
1935, in Book 218, Page 537, all in Section 24, Township 27 North, Range 20
West, P. M. M., Flathead County, Montana.

EXCEPTING THEREFROM that portion conveyed to the State of Montana in
Bargain and Sale Deed recorded December 9, 1992, as Instrument No. 92-344-
15260, records of Flathead County, Montana.

STAFF REPORT
6:01 pm

Valade reviewed staff report FZC-17-10 for the board.

**BOARD
QUESTIONS**
6:04 pm

Heim requested clarification of the staff report regarding commercial use. It was decided that the sentence would be stricken from the report if it was reflected in the finding of facts.

Sirucek questioned if the agency had found any conflict between the change of R2, the potential future developing, and clustering development. Valade said she had not.

**APPLICANT
PRESENTATION**
6:06 pm

Bruce Lutz, 385 Golf Course Dr., with WGM Group made the presentation representing Icecap, LLC. They were in agreement with BLUAC's action requests. He said that the property change made sense due to the close proximity to an R2 zone. He also said that it made sense to bring in the lodging and expressed that it would vitalize the existing commercial area to the north and be complimentary to other developments in Bigfork.

**BOARD
QUESTIONS**
6:07 pm

Sirucek wanted to know how they were going to accommodate the recommendation from Fish, Wildlife, and Parks as far as the future development would go. Lutz wanted to protect the current pond on the property. He highlighted that the lodging component was the priority and the R2 component would come much later. This would give them time to study trails and the open space. Sirucek said that the topography would lend itself well to doing that and he wanted to get a feeling of what the company was going to do.

**AGENCY
COMMENTS**
6:09 pm

None

**PUBLIC
COMMENT**
6:09 pm

None

**APPLICANT
REBUTTAL/
COMMENTS**
6:09 pm

Robert Carette, the owner of Icecap LLC, shared their intention to continue with the community feel of Bigfork. They would work with the architect to keep the feel. The hotel was to be the first project. The RV project was an idea but they would have to look at water and sewer. The R-2 project would be down the road.

Lutz also noted that the R2 project would remain in agriculture. The RV portion would come before the review board.

**STAFF
REBUTTAL/
COMMENTS**
6:11 pm

None

**MAIN MOTION
TO ADOPT F.O.F.
(FACT)**
6:12 pm

Stevens made a motion, seconded by Schlegel, to adopt staff report FZC-17-10 as findings of fact.

**BOARD
DISCUSSION**
6:12 pm

Stevens wanted to amend the finding of facts, in line with the BLUAC recommendations to read as following:

Finding #5 – The proposed amendments ~~should would~~ facilitate the adequate provision of transportation because the Montana Department of Transportation ~~will review and would~~ require new approach permits for a change in use and new access and the County Road and Bridge Department had no concerns with the proposal.

Finding #6 – The proposed amendment would facilitate the adequate provision of water, sewerage, schools, parks and other public requirements because further division of land on the subject property would require review through the Flathead City-County Health Department and the Montana Department of Environmental Quality, ~~and Bigfork Water and Sewer~~, there would be minimal impact on parks and the Bigfork School District did not comment on the proposal.

Finding #8 – Effects on motorized transportation systems ~~should will~~ be minimal because the Montana Department of Transportation ~~will review and would~~ require new approach permits for a change of use and new approaches, and the County Road and Bridge Department had no concerns with the proposal.

**MOTION TO
AMEND FINDING
OF FACTS**
6:14 pm

Stevens made a motion, seconded by Schlegel, to amend staff FZC-17-10 finding of facts 5, 6, and 8.

**BOARD
DISCUSSION**
6:14 pm

None

**ROLL CALL TO
AMMEND FOF
BOARD**
6:14 pm

Motion was passed on a roll call vote.

None

DISCUSSION

6:15 PM

ROLL CALL TO ADOPT F.O.F. (FACT)

6:15 pm

Motion was passed on a roll call vote.

MAIN MOTION TO RECOMMEND APPROVAL

6:15 pm

Schlegel made a motion, seconded by Heim, to recommended approval to the Board of County Commissioners.

BOARD DISCUSSION

6:16 pm

Stevens commented on the recommendation from Fish, Wildlife, and Parks to deny the zone change in order to preserve the land for agriculture and wildlife. He felt it was another bizarre recommendation by the agency representative. He stated that the state owned about 90% of the land for wildlife preservation. He felt like the recommendation for denial of a zone change that would allow for development, which already had access to sewer and water and easy access to a highway, was totally inappropriate in this particular case.

Heim brought up a sentence in the staff report regarding commercial development not being allowed. The staff agreed to revise that out of the report.

ROLL CALL TO RECOMMEND APPROVAL

(FZC-17-10)

6:19 pm

On a roll call vote the motion passed unanimously for a positive recommendation.

WHISPERING PINES

(FPP-17-06)

6:20 PM

A request from Robert & Geraldine Rupp with technical assistance from WMW Engineering, PC for preliminary plat approval of Whispering Pines RV Park, a proposal to create 77 rental spaces which consists of eight (8) full service spaces, 42 partial service spaces and 27 primitive (no service) spaces. The property is located at 261 and 263 Kinnikinnick Lane near Columbia Falls and contains approximately 13 acres. The property can legally be described as Assessors Tracts 3A and 3AD (Parcels A&C of Certificate of Survey No. 12916) in Section 15, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana.

STAFF REPORT

6:20 pm

Valade reviewed staff report FPP-17-06 for the board.

**BOARD
QUESTIONS**
6:23 pm

Heim had a question about the road leading up to Hwy 40 being a 60' easement.

Sirucek wondered what the running service width was and wondered if it was really two lanes or a lane and a half. He felt like it needed to be addressed. Valade said that it had to meet the condition. Sirucek wanted to know specifically how wide it is and felt like it needed to be added to the finding of facts.

Sirucek, along with Valade, reviewed the map, where the property owner's lived, and the roads in question. Valade answered questions about the easement and used the pictures to better show them the areas on concern.

Schlegel wanted to know where the exact center lane for the easement was on the corner. Valade commented that the staff report was written so that they could utilize the 30' easement.

**APPLICANT
PRESENTATION**
6:30 pm

Gerri Rupp, 2138 Barnett Rd, presented the proposal and went through the history of the property which had been in the family since 1948. She talked about how they used to draw property lines from handshake agreements. Her family had originally owned 84 acres and her mother sold all but 13 acres. Her mother gave herself a reserved easement at that time. She expressed that she was disappointed in how people had taken care of their property in recent years. They intended to make a top class RV park so people could come and stay while enjoying the beautiful scenery. They planned on making a border so that nobody had to see the RV park. She expressed disdain for the fact that her mother had given everyone else an easement and now her neighbors were telling them that they can't get to their property or to do what they wanted to with their property. She said that they were doing all that they could to do things the right way and were trying to keep their neighbors happy. Their intentions were to create a good community that people from all around the world could enjoy.

**BOARD
QUESTIONS**
6:36 pm

Sirucek questioned their intention after the property was built due to some of the comments mentioning they believed she was going to sell it right away.

Rupp said they intended to keep the property and pass it on to family but she could not say what her children would when they inherited it. She also pointed out that they had plenty of room to be able to widen the road if needed. She planned to plant vegetation to make the drive in nice. She also shared that she had gotten it worked out where they could create a road as a fire escape to the south of the development because safety was important to them. She clarified that the real issue of the road was that the neighbor did not want her to maintain that part of the road with the easement because it was his property. Her issue was that her family had given him that easement.

Heim wondered about the maintenance agreement. Rupp said that in 1992 there had been a road agreement stating that everybody was going to be responsible. The road agreement and easement transferred with each survey as properties were sold. In 2004 the last piece of property was broken down and sold but the easement in question had been there since 1990. She said in a previous claim found from 1992 the easement said it was a 60' easement. She said that the issue of the easement was really an issue between her and her neighbors the Bennetts.

**AGENCY
COMMENTS**
6:44 pm

None

**PUBLIC
COMMENT**
6:46 pm

Larry Bennett, 15 Janens Way, hired a lawyer to look in to the easement issue in question. He pointed out the easement and the property and gave some history to the issue at hand. He spoke in great length the details of the easement. He said that when he bought the property he had the title company check and there was no easement. He explained, as explained by him by his lawyer, that the road agreement was for the first 2,000' of Kinnikinnick and his property is at 3,000'. He agreed that there was an [prescriptive] easement. He felt like the RVs would overburden his property. He asked that the board would take the time to review the lawyer's findings. He said that he would not deny the access to the property but they did not have an express easement to use his 18' of property for the intended use of RV traffic. He said that the RV park would negatively affect his family, especially being that it is 50' from his front door. He also expressed concerns about other issues such as road maintenance and other discrepancies.

Brad Abell, 1082 Horseman Way, is a direct neighbor whose property bordered the proposed RV Park. He had spoken with the applicant who reassured him that the RV park would be done in a responsible manner. In regards to Bennetts saying that the easement was only 18', he said that he had refinanced his house a few years ago and the title company found the existing 30' easement. He was concerned that there needed to be a 30' easement across to bring his horse trailer around and for appropriate snow removal. That was his main concern.

Jessica Persons, 37 Janens Way, pointed out her place of residency being directly across from the proposed RV Park. She voiced her agreement with the concerns that were brought up earlier but she also voiced that they were concerned with the drinking water as everyone in neighborhood was dependent on individual wells and septic systems. She said that the proposal would not have access to public water and sewer and that the RV park did not fit in to the land use and population density of the area. She felt it would diminish the quality of life and reduce their property value. She noted that her and her husband had submitted comments on all of their concerns and asked

that it be read over. She said that the greatest concern was over the water quality since the neighborhood was reliant on their own systems, as mentioned earlier. She went in to great detail over the engineering report and the data used. She pointed out that the data used was prior to the current development. As an engineer herself, she felt like the information available was not sufficient for the appropriate agencies to do a report as is and said that data was 20-27 years old. She also was concerned about the dust control, especially with the number of RVs that would be traveling along the road. She felt the neighborhood was a nice neighborhood and she did not see how adding an RV Park would help improve the nature of the area.

Brad Lamson, 1022 Horseman Way, had done his research prior to buying his property and realized that his property was not zoned and spoke about how he was a proponent of zoning property. He discussed that there were currently some unsightly things in the neighborhood [i.e. rusted cars, trailers, areas that look like a salvaged yard]. He felt like the Rupps upgrading the property may even raise the property values. He also expressed concern about traffic control on HWY 40 being a two way highway. He said he hoped that if the RV park did go through that they would keep native plants and vegetation there. He said that he received emails and gossip but felt like some of his preconceptions were clarified after talking to the agency, the applicant, as well as the engineer. He hoped that the applicant would take care of the road upkeep as needed. He brought up that the only people that had taken care of the road in the last 5 years were Brad Abell, Lance [Mortenson], and Dan. There was not a neighborhood plan to take care of the road. He felt like it would be a good idea to have property lines reestablished. He said that the neighborhood had no solidarity and found the gossip disheartening. He was concerned about the water quality but he trusted the county would do their research. He did not want to have the RV park turn in to a long time staying situation.

Lance Mortensen, 291 Kinnikinnick Lane, expressed concerns about safety issues and access at HWY 40. He gave physical measurements of the road section as it goes out to the highway. He was concerned about the fence and how they were going to keep the campers on the property and not coming on to his property. He said that he had friends who lived next to the KOA in W. Glacier and that was their biggest complaint; people jumped the fence to take their dogs for a walk. He also wanted to see a road maintenance agreement put in place. He asked the board to take everything in to account as far as property and property lines.

Neil Persons, 37 Janens Way, said that a lot of things had been covered already but he expressed concern about the possibility of an urban interface fire going through that area. He had lost sleep at night thinking about it and the safety concern. He wondered about the dangers of the proposed escape route with having 200 people trying to leave at the same time or the possibility that it would start close to the escape route by a campfire. He had 12 years of

experience of fighting fires.

**APPLICANT
REBUTTAL/
COMMENTS
7:18 pm**

Rupp said that she understood that she needed to get a hold of the Department of Transportation regarding the HWY 40 access and had already done that. She provided a preliminary drawing of how it would work. She said there was a significant easement to be able to design the road to meet the standards to do what they were trying to do. She also addressed the 2,000' easement that Bennett talked about. She said that when the original easement was granted that was all they needed at the time. She couldn't say if everything had been written down but every paperwork that she had come across said that the easement went to the full length of Kinnikinnick Rd. She wanted everything to be worked out with her neighbors and intended to keep everything top notch. She was also concerned about the possibility of fires, which is why they had logged and did some property clean up. She also said that the road was 20' across. It started out smaller but had grown. She said that they own Kinnikinnick Road and was discouraged that nobody had offered to help maintain the road or pay for gas to the people who were helping. They had not personally had to plow because they do not live on that land and her mother passed away recently. She wanted to see all the neighbors step in to help. She went back to the map and talked about how they wanted to redo the angle of the road a bit. She discussed road and property lines and how things have changed over the years. They also relied on their engineer regarding the concerns about the water.

**STAFF
REBUTTAL/
COMMENTS
7:25 pm**

Valade pointed out that the first comment from Mark Pittman, DNRC, was prior to receiving the engineer's report. She sent him the report and he commented about it.

**BREAK TO
REVIEW FILE
7:26 pm**

Board took a break to review the file before further discussion.

**MAIN MOTION
TO ADOPT F.O.F.
(FACT)
7:40 pm**

Stevens made a motion, seconded by Sirucek, to adopt staff FPP-17-06 as findings of fact.

**BOARD
DISCUSSION
7:41 pm**

Sirucek wanted to make an amendment that would talk about the existing road being 20' wide +/- 2'. He wanted to leave it up to the staff on how that would be added. Stevens felt like it did not matter what the road was but what it was *going* to be. He had to meet the fire department regulations or it was dead in the water. Sirucek said that he disagreed and putting it in would address several of the public comments that had been received. There were varying descriptions of the width of the road from the public comments. Stevens said there was a comment from the fire department said it did not meet the

minimum requirements. Larsen pointed out that the road varied in width in different sections. Larsen suggested that they add that the road was currently less than 20' in certain areas. Schlegel suggested that they leave it as is because it had been addressed by the Fire Department.

**ROLL CALL TO
ADOPT F.O.F.
7:45 pm**

Motion was passed on a roll call vote.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
7:46 pm**

Stevens made a motion, seconded by Schlegel, to recommended approval to the Board of County Commissioners.

**BOARD
DISCUSSION
7:47 pm**

Heim asked for clarification on the growth policy. The report had used the words "Canyon Plan" and he wanted to know if that should be in there. Valade said it should not and it would be fixed prior to being sent on to The Commissioners.

Stevens wondered if Bennett had the property surveyed at the time of which he bought it. Bennett replied that it had been surveyed from the seller at that time. Stevens addressed that it seemed important that the neighbors knew where their property lines were truly at; not based on fence lines. He also addressed the concerns regarding the water quality. He said that they relied on the DRNC to determine if there was sufficient water quantity and the DEQ for the quality. He said that if the DRNC said there was not enough water then, it didn't matter what the board did, it wouldn't be recorded. He addressed that there were a lot of conditions had to be satisfied by the agencies. The board relied on that and their expertise. He felt that the DRNC and DEQ had a real good handle on these things and are thorough.

Sirucek expressed that he had several concerns. He felt like the proposal was not ready for the board to make a decision on. He felt like the right of way question needed to be dealt with prior to moving forward. He wanted to see some conditions added, including a community road maintenance agreement developed for the area. He asked the representative from WMW Engineering some questions regarding the roads in the RV Park and fire truck usage. Rick Hensley, the WMW representative, made it clear that he was not the engineer but they did not see a problem with the road and the requirements for an RV Park. They reviewed the map of the RV park and discussed how a fire truck could get in, out, and through. Sirucek also expressed a concern about water quality in agreement to what Persons had shared. He gave a history of the geomorphology and explained how they were sitting on an area that might be of concern.

Nogal expressed an appreciation that the Rupps had a history on that property but she saw a lot of loosey goosey, well intentioned agreements on easements that confused the neighbors. She felt like, if approved, it would turn neighbor against neighbor. She acknowledged that they were not there to litigate but she understood the concern. She did not like the mess of it and she did not like throwing everyone in the mess. She hoped to have everyone back, after having a clear understanding of the easements and then they would address the safety concern.

Larsen had some questions for the staff. He wanted to know if the revised preliminary plat was treated the same as a final plat. The staff said that it was similar to a regular subdivision. There had to be proof of all the conditions being met. The final plat would be reviewed, approved, and a copy of that would go to the clerk and recorder's office. Larsen wondered if, like the final plat, proof of legal access was required on a revised preliminary plat. He explained there were two schools of thoughts and elaborated on that. The board relied on the condition of having proof of legal access in the past. He wanted assurance that it would be in the subdivision regulations or a condition that they would be required to provide that for access in to the subdivision. He also addressed the validity of the public concerns that were brought up. He addressed the conditions that were required before completion by the Planning Office. If a condition had been missed, it was the board's responsibility to add it. He shared examples of how things had been handled in the past in relation to this particular proposal. He was also concerned about the safety of the road and access to the high way. He wanted to see a condition placed that they would have to consult with the Montana Transportation Department. The staff clarified that it was already a requirement. Larsen agreed with Sirucek that there needed to be an attempt of a road maintenance agreement but he also did not want to pin neighbor against neighbor. He said the right away issue was one that the board could not address. The only way that they could handle it was with a condition but there had to be proof of a legal access in order to do that.

Stevens wanted clarification from the staff if an off-site subdivision road was required to be paved. The staff clarified that the primary access road needed to be paved but the interior access road was not required.

Heim addressed that the application had been properly sent in but they also had conditions that had to be met before final approval. He mentioned that the problem with un-zoned territory was that there was nothing to protect the neighbors from a neighbor doing something they didn't like with the property.

Stevens wanted to address that road maintenance agreements were best served by HOA's. They had a history of being messy. Stevens also felt like there needed to be proof of legal access to avoid going to district court. They discussed the road requirements again and what that entailed. He felt like

there were a lot of conditions in place that would alleviate some of the fears of the neighbors.

Larsen asked the staff to clarify the regulations regarding legal and physical access. The staff said that the regulations state that each subdivision shall have legal and physical access via a primary access road. Mussman recommended, to be on the safe side, that they could always add a condition.

Sirucek wanted to note that he was in disagreement with Stevens on the fact that he was a part of a subdivision that did not have an HOA but they did have a road association. The other thing that he wanted to say was that with the right away question, he felt like the board's approval could cause more tension and that the neighbors needed to work out the situation first.

Schlegel pointed out that there was a difference between a subdivision and a neighborhood, like the one in question. He said that it did not matter what they did tonight, it wasn't going to solve anything. The court had to make a determination on if there was an easement and where the easement would be. He said it would not be pretty no matter what. He said that he approved of the condition being added that they had to prove legal access. He said he agreed with Stevens that the DEQ were the qualified ones to determine the water quality.

**MOTION TO ADD
CONDITION #27
8:28 PM**

Schlegel motion to add condition #27 to say "*Prior to Revised Preliminary Plat approval, the applicant shall show proof of legal and physical access via a primary access road*". Larsen seconded the motion.

**BOARD
DISCUSSION
8:28 pm**

Heim wondered if the condition was before preliminary plat. Staff replied that the conditions had to be met at the revised preliminary plat approval. This had to be done before applying for final plat.

**ROLL CALL TO
ADD CONDITION
#27
8:29 PM**

Motion was passed on roll call vote.

**BOARD
DISCUSSION
8:30 PM**

Nogal said that several times in the past, including tonight, several of her compatriots had said that it did not matter what they did [as the board] due to conditions, agencies, and other final things happening. She said that she understood that but she wanted to circle back to the original issue of an RV Park being placed in a rural area of people living a rural life. She knew it was unzoned but felt like it was a phenomenon of Flathead County that needed to be addressed. She was originally from the city and had also lived on a semi-rural island but she pointed out that at some point they were going to have to address the lack of zoning in this area. She expressed her frustration at seeing SAG20s being changed to SAG10s then SAG5s. She wanted to preserve the

rural lifestyle that this area boasted of and that everyone comes here for. She wanted to forget about the easement trouble or the road trouble, and focus on the change of neighborhood dynamics which was being requested. She wanted to see the applicants have something but wondered if it really had to be “that”? She said it was not about [people] doing whatever they wanted to do because they were in an un-zoned area.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-17-06)
8:33 pm**

On a roll call vote the motion passed with a 5 to 2 vote.
Nogal and Sirucek dissented

**COUNTRYSIDE
ESTATES
(FPP-17-09)
8:36 PM**

A request from Sands Surveying, on behalf of Robert & Donna Fink Living Trust for preliminary plat approval of Countryside Estates, a proposal to create 24 residential lots and 4 commercial lots on 53.329 acres, to be served by on-site wells and septic systems. The property is located at 3240 U.S. Highway 35 and can legally be described as Tract 2 of Certificate of Survey No. 20507 in Section 05, Township 28 North, Range 20 West, P.M.M., Flathead County, Montana.

**STAFF REPORT
8:36 pm**

Mack reviewed staff report FPP-17-09 for the board.

**BOARD
QUESTIONS
8:38 pm**

Heim asked for clarification on condition #22. Mack said they had put in the condition that there needed to be a provided easement should there be a future development that would allow transportation access to the nearby stop light.

**APPLICANT
PRESENTATION
8:43 pm**

Eric Mulcahy, 2 Village Loop, represented Sands Surveying and said that they concurred with all the conditions placed on the proposal of the subdivision. He said that he worked with the Fire Department early on in the design of the subdivision as well as a professional traffic engineer. They intentionally designed the 4 commercial lots as back loading so they did not have to have individual approaches. They anticipated small businesses going in, not retail or convenient store types. They also wanted to create a nice buffer between the commercial and residential lots. He pointed out that this property was currently a part of the Four Seasons Nursery, owned by the Finks. They own 153 acres and were planning on developing the 50 acres as residential and maintain the rest as their nursery. The Finks wanted to use their existing nursery stock to create nice buffers within the subdivision. Their desire was to have it be a nicer landscaped subdivision. The neighbor whom objected was 2000’ away with a nursery in between as a buffer.

**BOARD
QUESTIONS
8:47 pm**

Stevens asked if an 8’ fence surrounded the whole property in which Mulcahy said there was. Stevens asked if the Fish, Wildlife, and Parks had been made aware of that. Mulcahy said that he had notified them. They did not

recommend an approval or denial but they did make note that there were elk and whitetail deer in that area. Mulcahy said that whitetail was throughout the whole valley.

**AGENCY
COMMENTS**
8:50 pm

None

**PUBLIC
COMMENT**
8:50 pm

None

**MAIN MOTION
TO ADOPT F.O.F.
(FACT)**
8:50 pm

Heim made a motion, seconded by Sirucek, to adopt staff FPP-17-09 as findings of fact.

**BOARD
DISCUSSION**
8:51 pm

Nogal wanted to know if the commercial spaces would specify non-retail. Mulcahy said that he could not see any retail business going in but they could not specify that as a condition.

**ROLL CALL TO
ADOPT F.O.F.
(FACT)**
8:51 pm

Motion was passed on a roll call vote.

**MAIN MOTION
TO
RECOMMEND
APPROVAL**
8:52 pm

Heim made a motion, seconded by Lake, to recommended approval to the Board of County Commissioners.

**BOARD
DISCUSSION**
8:52 pm

Stevens wanted to point out that Fish, Wildlife, and Parks recommended that the board deny this subdivision. He wanted to reiterate that 90% of the county is owned by Federal State Industrial Timberlands. He wished Montana Fish, Wildlife, and Parks would allow the other 10% to be used by people. He felt like there had been a demonstration of insatiable desire land use control for the benefit of the animals and wildlife without the consideration of people. He wanted people to keep in mind that when a subdivision was approved, it helped the tax base and therefore helped the welfare of the county. He felt like when thinking about the county, people needed to keep in mind the whole general welfare.

Nogal expressed concern about changing the beautiful farm land in Creston. She was pleased that it was at least 2 acre lots.

Heim wondered how to stop the growing population. He recalled only seeing

3 houses out there at one time. He discussed predicted future population growth and wondered where people were going to live.

Larsen said that it was nice for people to have options to be able to live on 2 acres or a city lot and that there needed to be a large variety of places for people to live. He said that there were consequences when growth gets controlled.

Schlegel also pointed out that more development in that area might benefit the Creston Fire Department to become paid staff.

Stevens talked about how the homeless population in L.A. had increased about 23%. The Bellaire fire was started by the homeless people in L.A. He felt that when there were restricted land use policies there were a lot of unintended consequences that come along with it.

Sirucek pointed out that this property was sitting on national recognized prime soil. A very small percentage of the entire country meets this category. We lose about 10,000 acres of farmland per day. With climate change, this area is becoming more and more valuable. He felt like this was a national resource that needed to be protected.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FPP-17-09)
9:03 pm**

On a roll call vote the motion passed on a 6 to 1 vote.
Sirucek dissented.

**OLD BUSINESS
9:03 pm**

None

**NEW BUSINESS
9:03 pm**

Mark said that next month he will present a work plan for the zoning regulations.

**ADJOURMENT
9:04 pm**

The meeting was adjourned on a motion by Sirucek and Nogal at approximately 9:04 pm. The next meeting will be held January 10, 2018.



Jeff Larsen, Chairman



Angela Phillips, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 01 / 11 /17